

Environmental Permit

Environment Protection Act (CAP. 549)

Permit number:

NP 0412/20

Approved documents

NP 0412/5A/5B/14B

The Environment and Resources Authority (hereinafter the Authority; the Competent Authority or ERA) in exercise of its powers under the Environment Protection Act (CAP. 549), hereby authorises:

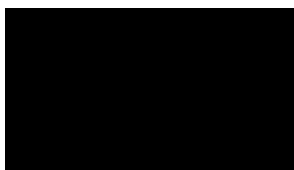
Ing. Fredrick Azzopardi obo Infrastructure Malta (hereinafter "the Permit Holder"), Of / Whose Registered Office (or principal place of business) is at

**Vjal I-Avjazzjoni,
Luqa**

to carry out the pruning and uprooting of trees at

**new schemed road off Triq San Ġwann Bosco,
Dingli.**

The validity of this permit is **one (1) year** from the granted date below. An application for renewal of this permit is to be submitted at least **one (1) month** prior to expiry of this permit.

Signed	Date
 Prof. Victor Axiak Chairman	Permit Granted: 09 /10/ 2020

Authorised to sign on behalf of the Competent Authority

This page has been deliberately left blank

Conditions

Introductory Note

The Permit is granted in accordance with the provisions of the Environment Protection Act and regulation 20 of the Trees and Woodlands Protection Regulations, 2018 (S.L.549.123), hereinafter referred to as the Regulations, for the purpose of the interventions that shall be carried out on the protected trees.

The works shall, subject to the conditions of this Permit, be managed, controlled and carried out as described in the NP Application, approved documents, and/or as otherwise previously agreed in writing by the Authority.

Status Log

Detail	Date
Application NP 0412/20	1 st September 2020
ERA Board Determination	9 th October 2020

Pre-Commencement of activities/ work

1. The permit holder shall advise of the dates of works at least seven (7) days prior to the commencement on ced.nature@era.org.mt. In the case of change of date, the permit holder is to inform ERA of such a change at least two (2) days in advance. In the case of short-term cancellation of the works (especially outside office hours), the Authority should be contacted on 9921 0404.

Permitted Activities

2. The Permit Holder is authorised to carry out the works and the associated works specified in Table 1.

Table 1.		
Works	Description of specified works	Limits of specified works
Interventions on protected trees	Heavy pruning and Uprooting	(i) Uprooting of two (2) carob trees – <i>Ceratonia siliqua</i> , and one (1) pomegranate tree – <i>Punica granatum</i> specimens (ii) Heavy pruning of one (1) carob tree – <i>C. siliqua</i> specimen

Site

3. The works authorised under condition 2 shall be only affected on the trees as marked on the approved site plan NP 0412/20/14B and identified in table 1.

Conditions of Activity/Work

4. All interventions shall be carried out in line with the Guidelines on Works Involving Trees available on <https://era.org.mt/en/Pages/Guidelines-on-.aspx>. Pruning works shall be strictly carried out between October and March.

5. Uprooting shall be carried out without damage to any other existing trees, plants or structures.
6. The trees shall be cut at or below ground level without any obtrusions above ground.
7. Compensatory planting shall take place in accordance with approved compensation plans NP 0412/20/5A/5B with the use of medium sized trees of local stock. Compensatory trees shall be planted between September and April and shall be maintained by the permit holder for a period of three (3) years from planting, including necessary aftercare such as watering, weeding and pruning as may be required. Evidence of compensatory planting shall be submitted within one month of planting on ced.nature@era.org.mt.

The compensatory trees are not to be used as hedges.

Should any of the compensatory trees die within the period specified above, the permit holder shall be bound to replace the said trees within the first planting season with trees of the same species and size and advise ERA of such a replacement.

8. Pruning of the carob tree marked as 'T16' on approved plan NP 0412/20/14 shall be limited to the branches located within the outline of the schemed road. No additional areas of the tree shall be pruned.
9. The pruned tree shall be regularly inspected following works to monitor progress.
10. Pruned branches and trunks shall be treated with due aftercare to naturally close the cut.
11. Any water shoots which sprout from the stub should be duly monitored and removed as necessary.
12. Should the permitted interventions of this permit result in the premature death of any protected tree within the validity of the permit, the applicant shall compensate with a ratio of 1:10 with indigenous trees. The said compensation shall be in agreement with ERA prior to implementation.
13. Works shall be limited to the trees for which a permit has been issued. Damage to or interventions on other existing protected trees and natural features on site is prohibited.

General Conditions

14. Waste derived from the intervention on the trees shall be shredded on site and reused as mulch (with the exception of waste derived from Invasive Alien Species). In case this is not possible, the waste shall be immediately carted away in waste carriers registered in accordance with the requirements of the Waste Management (Activity Registration) Regulations 2007 (S.L. 549.45) for appropriate reuse of the material. Disposal in waste facilities shall be as a last resort and in those facilities which are permitted in accordance with the Waste Regulations 2011 (S.L. 549.63).
15. The 'Permit Holder', is responsible to ensure that all reasonable precautions are taken so that the activity conforms to the conditions in this Permit and the procedures outlined within the Permit application.
16. The activities covered by this Permit are restricted to the permit holder, employees and/or volunteers and contracted parties commissioned for such activities/works under

his supervision and direction, who shall all be made aware of this permit and the contents within.

17. The Permit holder is not exempt from any other legislation or regulations, codes of practice, conditions or requirements imposed by any other competent authorities, including the obtaining of permits, licenses, or clearances to undertake works authorised by this Permit, including from site owners.
18. ERA may request updates and/or further information on the activity in question as deemed necessary.
19. The conditions imposed shall be adhered to throughout all the activities. Failure to do so may result in enforcement action and cessation of any related works or activities.
20. The Authority may add, amend, suspend or revoke this Permit or part of this permit in cases of fraud, where public safety or significant environmental damage or risk is concerned, where there is an error on the face of the record or where there is a breach of one or more permit conditions after a written warning is given by the Authority or in any eventuality that gives the Authority enough reason to suspend or revoke this Permit.
21. The Permit Holder may apply for a variation of the permit and shall seek the Authority's written agreement prior to any operational changes, by sending to the Authority:
 - a. Written notice of the details of the proposed change, including an assessment of its possible effects or risks to the environment from the approved activity;
 - b. Any relevant supporting information;
 - c. Any relevant supporting assessments and drawings, and;
 - d. The proposed implementation date.

Any such change shall only be implemented following the issue of a variation of the permit by the Authority.

22. The Authority may add, amend, delete or substitute any of the conditions of this Permit after notifying the Permit Holder of its intention and after describing the changes to the Permit Holder. This is without prejudice to any prevailing circumstances that would preclude the Authority from following such a procedure.
23. The Authority may suspend or revoke this environmental permit in line with the provisions of CAP 549.
24. The Permit Holder shall notify the following matters to the Authority in writing at least 10 working days prior to their occurrence:
 - a. Any change in the Permit Holder's trading name, registered name or registered office address;
 - b. Any change to particulars of the Permit Holder's corporate identity.
25. Upon the joint application of a Permit Holder and a proposed transferee, the Authority may transfer the environmental permit to the proposed transferee. The transfer of the permit will not relieve any of the Permit Holders from their environmental obligations and liabilities.
26. In accordance with Regulation 26 of S.L. 549.123, details of the Permit Holder together with the details of conditions imposed in this Permit shall be maintained by the Authority in a register available for public inspection or maintained in electronic form.

27. ERA may inspect and monitor the activity at the expense of the Permit holder at rate and arrangement communicated by ERA's Compliance and Enforcement Directorate to ensure the safeguarding of the natural assets. ERA may also appoint other on-site monitors at the expense of the Permit Holder to act as an on-site liaison between the Permit Holder and ERA if the case arises.
28. The Authority's representatives may inspect and photograph any part of the site/ activity and ask for any closed or locked areas to be opened and may demand to be provided with any proof, documentation, plans, receipts or any other records.
29. This Permit including any Variation Notices or amendments to it shall be made available for any inspection by ERA officials at all times, or any legally recognised compliance and enforcement officials, when requested.
30. Whenever there is a conflict between the conditions of this Permit and approved documents, the conditions of the permit shall prevail.
31. ERA shall not be held liable for any accidents or injuries which may occur during the activities being permitted through this Permit. It is the responsibility of the Permit Holder to ensure that all safety measures are taken.
32. This Permit is without prejudice to any liability of the Permit Holder under the Act and to any punitive measures the Authority may wish to take with respect to works already carried out without Permit.
33. This permit is subject to a bank guarantee of €8,750. The guarantee is covered in accordance with the Letter of Undertaking covering Government Projects ref MF35/05/160.

This guarantee shall be maintained throughout the validity of the permit. Following renewal and/or variations to this permit, the Authority may require amendments to the Bank Guarantee.

The Authority may take part or all of the bank guarantee if the Permit Holder fails to take the necessary action, or fails to fulfil his legal obligations under the Act of its subsidiary legislation thereof, in cases of non-compliance with these permit conditions. This bank guarantee is without prejudice to any environmental liabilities incurred by the Permit Holder through failure to adhere to permit conditions or any other works/activity carried out on site. Should the Authority forfeit the Bank Guarantee either in part or in full, the permit holder shall ensure that this is replenished without undue delay in any case not exceeding 2 months from the date of forfeiture.

In cases where the bank guarantee does not cover the expenses incurred by the Authority to take remedial actions on the Permit Holder's behalf, the Permit Holder is to financially reimburse the Authority of all the expenses incurred.

34. The validity of this Permit is for one (1) year from the date of the permit. The Permit Holder may apply for a renewal to this permit expressing his/her intention at least four (4) weeks prior to the expiry of this Permit. Request for renewals shall only be considered upon confirmation of compliance with permit conditions and fulfilment of documentation as requested by this Permit.

35. Any aggrieved party may appeal from this decision to the Environment and Planning Review Tribunal in accordance with Article 63 of the Environment Protection Act and with the provisions of the Environment and Planning Review Tribunal Act.

— Site for Planting
of Compensatory
Trees:
10 *Pinus*
Halepensis on
each site

Site for Planting of Compensatory Trees - 10 Pinus Halepensis

Site for Planting of Compensatory Trees - 10 Pinus Halepensis

H				
G				
F				
E				
D				
C				
B				
A	Issued for ERA			
Remarks	Deposited			



**INFRASTRUCTURE
MALTA**

CHIEF EXECUTIVE OFFICER

INQ. Fredrick Azzopardi

UNIT NAME -

HEAD OF UNIT :

Lawrence Darmanin

PROJECT LEADER :

Perit Rebecca Grech

DRAWING TITLE :

Proposed Compensatory Trees Site B

Compensatory Trees at Trig il-Busket, Dip

Compensatory Trees at Tully-Busket, Dún

DATE:	FILE NO:	DRAWING
September 2020		

SHEET SIZE :	SCALE :	REVISION :
--------------	---------	------------

A2	NTS	
----	-----	--

SURVEYED / DRAWN BY :

J. Cutajar

COMPUTER PATH: N:\ - - - - -

